

United States District Court
District Of Maine

Angela Agganis,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 1:15-cv-00417-DBH
)	
T-Mobile USA, Inc.,)	
)	
Defendant.)	

**Plaintiff's Statement of Undisputed Material Facts in Support of Motion for
Partial Summary Judgment**

1. Plaintiff Angela Agganis worked for T-Mobile USA, Inc. (T-Mobile) as a Customer Service Representative at T-Mobile's Oakland, Maine call center.

Complaint and Answer ¶¶ 4, 12 (ECF Nos. 1 and 5).

2. Ms. Agganis resigned from her position at T-Mobile on August 5, 2014. Complaint and Answer ¶67 (ECF Nos. 1 and 5).

3. Most recently before her employment at T-Mobile ended, Ms. Agganis earned hourly wages of \$610 per week plus monthly bonuses ranging from \$200 to \$1,600 per month. Exhibit A (Plaintiff's Responses to Defendant's

First Set of Interrogatories, Item 14) to Declaration of Roberta L. de Araujo (Decl. of de Araujo), ¶ 2(a).

4. Ms. Agganis's work search records demonstrate that she has applied for dozens of jobs in a wide variety of fields and locations from the date of the termination of her employment with T-Mobile through the present. Exhibit B (P1911-1996) to Decl. of de Araujo, ¶ 2(b).

5. Although Ms. Agganis lived in Waterville at the time of her separation from employment at T-Mobile, since then she was willing to move and has moved to other parts of Maine, including Skowhegan and Lewiston. Exhibit B (P1908, 1910, 1988) and Exhibit C (Agganis Deposition transcript excerpts (Agganis Depo.) at 7:4-7:13) to Decl. of de Araujo, ¶¶ 2(b)-(c).

6. Ms. Agganis has secured, worked at, and earned wages in a number of jobs, including positions obtained through the temporary employment agencies Manpower and Randstad, since the termination of her employment at T-Mobile. Exhibit A (Items 12-14), Exhibit B (P1908-1910, 1988-1991), Exhibit C (Agganis Depo. 8:2-11:19), and Exhibit D (P405-407) to Decl. of de Araujo, ¶¶ 2(a)-(d).

7. Ms. Agganis has worked for the following employers since the termination of her employment at T-Mobile:

- Safety First (2014)
- Harry Brown's Farm (2014 and 2015)
- Jewel of India (2014)
- My Family's Corporation (2015)
- Johnny's Selected Seeds (2015)
- Maine Business Services (Manpower)(2016)
- Maine Democratic State Committee (2016)
- Randstad (2017)

Exhibit A (Items 12-14), Exhibit B (P1908-1910, 1988-1991), Exhibit C (Agganis Depo. 8:2-11:19), and Exhibit D (P405-407) to Decl. of de Araujo, ¶¶ 2(a)-(d).

8. Ms. Agganis's work search is ongoing. Exhibit B (P1913, 1933-1935, 1943-1944, 1960, 1983, 1988-1991, 1992-1995) to Decl. of de Araujo, ¶ 2(b).

9. Ms. Agganis started a new job in Lewiston in June 2017. Exhibit B (P1910, 1988-1991) to Decl. of de Araujo, ¶ 2(b).

10. Despite her efforts to find employment, Ms. Agganis has not secured steady employment since the termination of her employment at T-Mobile, and

the work she has secured has not paid as well as her job working for T-Mobile.

Exhibit A, Items 12-14, Exhibit B (P1908-1910, 1988-1991), Exhibit C (Agganis Depo. 8:2-11:19), and Exhibit D (P405-407) to Decl. of de Araujo, ¶¶ 2(a)-(d).

Date: October 6, 2017

Respectfully submitted,

/s/ Jeffrey Neil Young

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Certificate of Service

I hereby certify that on October 6, 2017 I electronically filed this with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

Date: October 6, 2017

/s/ Jeffrey Neil Young